

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: A03P1049

EXPRESS MAIL NO. EV100888694US

Inventor(s): Mark W. Kroll and Bruce Kleine

Title: ACTIVITY MONITOR AND SIX-MINUTE WALK TEST  
FOR DEPRESSION AND CHF PATIENTSMAIL STOP PATENT APPLICATION  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Submitted herewith for filing are the following documents:

- ☒ 2 page(s) DATA SHEET  
☒ 38 page(s) application including 31 pages specification; 6 pages claims, and  
1 page abstract  
☒ 11 Sheet(s) of Drawings  
                     Formal xx Informal \_\_\_\_\_  
☒ Declaration  
☒ Assignment  
☒ Recordation Form Cover Sheet  
☒ Power of Attorney by Assignee...  
☒ Nonpublication Request Under 35 USC 122...  
☒ Information Disclosure Statement  
☒ PTO-1449 and references  
☒ Return Postcard

CALCULATION OF FEES						
ITEM		NO. OF CLAIMS FILED		NO. OF ADDITIONAL CLAIMS FILED	LG ENTITY FEE	\$ FEE
A	TOTAL CLAIMS FEE	33	- 20 =	13	X \$18	\$ 234
B	INDEPENDENT CLAIMS FEE**	3	-3 =	0	X 84	0
C	SUBTOTAL - ADDITIONAL CLAIMS FEE (LINES A + B)					\$ 234
D	MULTIPLE-DEPENDENT CLAIMS FEE LARGE ENTITY FEE = \$270					
E	BASIC FILING FEE*LARGE ENTITY = \$750					750
F	<b>TOTAL FILING FEE**</b> (ADD TOTALS FOR LINES C, D, AND E)					<b>\$ 984*</b>

☒Charge Deposit Account No. **16-0068**  
the amount of**\$984\***A copy of this letter is  
enclosed.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

X The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-0068

X Any additional filing fees required under 37 CFR 1.16.

X Any patent application processing fees under 37 CFR 1.17.

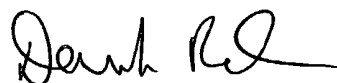
X The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 16-0068

X Any patent application processing fees under 37 CFR 1.17.

X Any filing fees under 37 CFR 1.16 for presentation of extra claims.

Respectfully submitted,

Date: 7/3/03




Derrick Reed, Attorney for Applicant(s)  
Reg. No. 40,138

Correspondence Address:

PACESETTER, INC.  
15900 Valley View Court  
Sylmar, CA 91392-9221  
818/493-2200  
818/362-4795 (fax)

I hereby certify that this New Application is being deposited with the United States Postal Service as "Express Mail" mailing label number **EV100888694US** in an envelope as "Express Mail Post Office to Addressee" addressed to th :  
**MAIL STOP PATENT APPLICATION**  
**COMMISSIONER FOR PATENTS**  
**P.O. BOX 1450**  
**ALEXANDRIA, VA 22313-1450, on:**

July **3**, 2003



Estella Pineiro

7/3/03  
Date


<b>NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor	<b>Mark W. Kroll</b>
	Title	<b>ACTIVITY MONITOR AND SIX-MINUTE WALK TEST FOR DEPRESSION AND CHF PATIENTS</b>
	Atty Docket Number	<b>A03P1049</b>

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

7/3/03

Date



Signature

**Derrick Reed, Reg. No. 40,138**

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**